



09-30-04

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant** : Pankey et al.  
**Appl. No.** : 10/624,041  
**Filed** : July 21, 2003  
**Title** : SENSING DEVICE FOR DETERMINING A RAIN RATE  
  
**Grp./A.U.** : 2837  
**Examiner** : Unknown  
  
**Docket No.** : 65,277-001

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97 AND 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to Rule 97 and in compliance with Rule 56, Applicant hereby makes of record the items listed on the attached Forms PTO/SB/08A and PTO/SB/08B.

Applicant is submitting this Supplemental Information Disclosure Statement (IDS) in accordance with 37 CFR 1.97(b)(3) such that no fee is believed to be due. Furthermore, in accordance with 37 CFR 1.97(e)(1), each item noted on the Form PTO/SB/08A was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. Specifically, the items noted on the Form PTO/SB/08A were first cited in an International Search Report dated September 21, 2004 associated with a corresponding Patent Cooperation Treaty application. A copy of the International Search Report and a Written Opinion of the International Searching Authority are also enclosed and listed on Form PTO/SB/08B.

U.S. Patent No. 5,119,002 was also cited in the International Search Report but is not listed on the attached PTO/SB/08A because it was previously submitted in an IDS dated October 13, 2003.

None of the items noted on the Forms PTO/SB/08A and PTO/SB/08B disclose the inventive concepts claimed in the above noted application.

A copy of each foreign reference and non-patent document noted on the Forms PTO/SB/08A and PTO/SB/08B is enclosed. Under the provisions set forth whereby the office waived the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent publication for all U.S. national patent applications filed after June 30, 2003, Attorney for applicant is not submitting a copy of U.S. Patent No. 5,436,060 referred to on the enclosed PTO/SB/08A, due to the fact that the above noted application was filed on July 21, 2003.

The relevance of Japanese Patent Nos. 59045247, 59045248, and 549045249 as understood by the Applicant is equal to what is conveyed and/or disclosed in the accompanying English-language Japanese abstracts. To this end, Japanese Patent Nos. 59045247, 59045248, and 549045249 do not disclose the inventive concepts claimed in the above noted application.

Please note that Japanese Patent Nos. 59045247 and 59045248 and European Patent No. 0308990 are members of the same patent family as U.S. Patent Re. 33,848, which was also submitted in the IDS dated October 13, 2003.

Should there be a fee associated with this document, please charge it to Deposit Account No. 08-2789. A duplicate of this paper is enclosed.

Respectfully submitted,

**HOWARD & HOWARD ATTORNEYS, P.C.**



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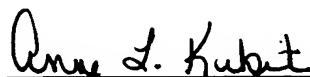
**September 29, 2004**  
**Date**

Enclosures:

- PTO/SB/08A - Page 1 (2 pages)
- PTO/SB/08B - Page 2 (1 page)
- PCT International Search Report for PCT/US2004/010843 (5 pages)
- PCT Written Opinion for PCT/US2004/010843 (6 pages)
- Japanese Patent No. 59045247 and associated abstract
- Japanese Patent No. 59045248 and associated abstract
- Japanese Patent No. 59045249 and associated abstract
- European Patent Application Publication No. 0308990
- International (PCT) Publication No. WO 03/027720

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope as "Express Mail Post Office to Addressee", Mailing Label No. ER090227495US and addressed to the Commissioner for Patents, Arlington, Virginia 22313-1450 on **September 29, 2004**.



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Anne L. Kubit





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| Substitute for form 1449/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   | <b>Complete if Known</b> |               |                        |            |
|  |   | Application Number       | 10/624,041    |                        |            |
|  |   | Filing Date              | July 21, 2003 |                        |            |
|  |   | First Named Inventor     | Pankey        |                        |            |
|  |   | Art Unit                 | 2837          |                        |            |
|  |   | Examiner Name            | Unknown       |                        |            |
| Sheet  | 3 | of                       | 3             | Attorney Docket Number | 65,277-001 |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials*           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 |                          | International Search Report for PCT International Application No. PCT/US2004/010843, September 21, 2004.  |                |
|                                 |                          | Written Opinion of the International Searching Authority for PCT International Application No. PCT/US2004/010843, September 21, 2004.   |                |
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| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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